

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

THE ONEIDA GROUP INC.

Plaintiff,

- against -

STEELITE INTERNATIONAL U.S.A. INC.,
TABLEWERKS, INC., RICHARD ERWIN, STEVEN
LEFKOWITZ, and ANTHONY DELOSREYES

Defendants.

Civil Action No.: 2:17-cv-00957
(ADS) (AKT)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that The Oneida Group Inc., plaintiff in the above-captioned case, appeals pursuant to 28 U.S.C. § 1292(a)(1) to the United States Court of Appeals for the Second Circuit from a Memorandum of Decision and Order of the United States District Court for the Eastern District of New York dated and entered May 10, 2017 (DE 83), vacating the temporary restraining order issued on February 28, 2017 and denying plaintiff's motion for a preliminary injunction (DE 14).

Dated: May 11, 2017

Respectfully submitted,

By: /s/ Nathaniel Browand

Mark C. Scarsi

Ashlee Lin (*pro hac vice* admission pending)

MILBANK, TWEED, HADLEY & MCCLOY LLP

2029 Century Park East – 33rd Floor

Los Angeles, CA 90067

(424) 386-4000

Christopher J. Gaspar
Nathaniel Browand
Sean Hyberg
MILBANK, TWEED, HADLEY & MCCLOY LLP
28 Liberty Street
New York, NY 10005
(212) 530-5000

Kristin L. Yohannan
MILBANK, TWEED, HADLEY & MCCLOY LLP
1850 K Street, NW, Suite 1100
Washington, D.C. 20006
(202) 835-7500

Attorneys for Plaintiff
The Oneida Group Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Notice of Appeal* was electronically filed on May 11, 2017. Notice of this filing will be sent to all parties by operation of the Court's CM/ECF system.

/s/ Nathaniel Browand
Nathaniel Browand